

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN RE WASHINGTON MUTUAL
MORTGAGE BACKED SECURITIES
LITIGATION,

This Document Relates to: ALL CASES

Master Case No. CV09-037 MJP

**DECLARATION OF J. WESLEY
EARNHARDT IN SUPPORT OF
DEFENDANTS' UNOPPOSED
MOTION FOR LEAVE TO FILE
OVER-LENGTH MOTION TO
EXCLUDE THE PROFFERED
EXPERT TESTIMONY OF CHARLES
D. COWAN AND IRA HOLT**

I, J. Wesley Earnhardt, hereby declare as follows under penalty of perjury
pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law licensed to practice in the State of New York. I am a
member of the firm of Cravath, Swaine & Moore LLP, counsel of record for defendants
WaMu Asset Acceptance Corporation and WaMu Capital Corporation (collectively, the
"WaMu Defendants") in this action. By virtue of my representation of the WaMu
Defendants in this matter, I have personal knowledge of the facts set forth below and
could and would testify competently to those facts if called to do so.

*Declaration of J. Wesley Earnhardt in Support of
Defendants' Unopposed Motion for Leave to File Over-
Length Motion to Exclude the Proffered Expert
Testimony of Charles D. Cowan and Ira Holt
(CV09-037 MJP)*

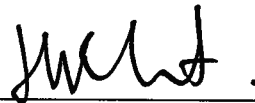
HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
Seattle, Washington 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

2. On March 2, 2012, Dr. Charles Cowan and Mr. Ira Holt each submitted an expert report on behalf of the Plaintiffs in the above-captioned matter.

3. On April 19, 2012, Defendants' counsel emailed Plaintiffs' counsel to determine their position with respect to Defendants' request for permission to file an over-length motion to exclude the testimony of Charles Cowan and Ira Holt.

4. On April 20, 2012, Joshua Devore, counsel of record for Plaintiffs in this matter, responded, indicating that Plaintiffs agree to the requested page extension.

EXECUTED this 23rd day of April, 2012, at New York, New York.



J. Wesley Earnhardt

*Declaration of J. Wesley Earnhardt in Support of
Defendants' Unopposed Motion for Leave to File Over-
Length Motion to Exclude the Proffered Expert
Testimony of Charles D. Cowan and Ira Holt
(CV09-037 MJP)*

HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
Seattle, Washington 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of April 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Adam Zurofsky azurofsky@cahill.com

Barry Robert Ostrager bostrager@stblaw.com, managingclerk@stblaw.com

Bradley T. Meissner bradley.meissner@dlapiper.com

Brian O. O'Mara bo'mara@rgrdlaw.com, e_file_sd@rgrdlaw.com

Christopher E. Lometti clometti@cohenmilstein.com

Daniel B. Rehns drehns@cohenmilstein.com, efilings@cohenmilstein.com

Darren J. Robbins e_file_sd@csgrr.com

David Daniel Hoff dhoff@tousley.com, efile@tousley.com

Douglas C. McDermott doug@mcdermottnewman.com, eric@mcdermottnewman.com

Floyd Abrams fabrams@cahill.com

Gavin Williams Skok gskok@riddellwilliams.com, jsherred@riddellwilliams.com, lmoore@riddellwilliams.com

Geoffrey M. Johnson gjohnson@scott-scott.com, efile@scott-scott.com

Hal D. Cunningham hcunningham@scott-scott.com, efile@scott-scott.com, halcunningham@gmail.com

Hollis Lee Salzman (Terminated) hsalzman@labaton.com, ElectronicCaseFiling@labaton.com

James J. Coster jcoster@ssbb.com, jregan@ssbb.com, managingclerk@ssbb.com

Janissa Ann Strabuk jstrabuk@tousley.com, lrolling@tousley.com, wcruz@tousley.com

Jason T. Jasnoch jjasnoch@scott-scott.com, efile@scott-scott.com

Certificate of Service
(CV09-037 MJP)

HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
Seattle, Washington 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1 Joel P. Laitman jlaitman@cohenmilstein.com
2 John D. Lowery jlowery@riddellwilliams.com, dhammonds@riddellwilliams.com
3 Jonathan Gardner jgardner@labaton.com
4 Joseph P. Guglielmo jguglielmo@scott-scott.com, efile@scott-scott.com
5 Joseph A. Fonti (Terminated) jfonti@labaton.com, ElectronicCaseFiling@labaton.com
6 Joshua M. Rubins jrubins@ssbb.com, jregan@ssbb.com, managingclerk@ssbb.com
7 Joshua S. Devore jdevore@cohenmilstein.com, efilings@cohenmilstein.com
8 Julie Goldsmith Reiser jreiser@cohenmilstein.com
9 Julie Hwang (Terminated) jhwang@labaton.com, ElectronicCaseFiling@labaton.com
10 Kenneth J. Pfaehler kenneth.pfaehler@snrdenton.com, nicole.reeber@snrdenton.com
11 Kenneth M. Rehns krehns@cohenmilstein.com
12 Kerry F. Cunningham kerry.cunningham@dlapiper.com
13 Kevin P. Chavous kchavous@sonnenschein.com
14 Kim D. Stephens kstephens@tousley.com, cbonifaci@tousley.com,
15 lrolling@tousley.com, wcruz@tousley.com
16 Larry Steven Gangnes gangnesl@lanepowell.com, docketingsea@lanepowell.com,
17 donnellyjoss@lanepowell.com, sebringl@lanepowell.com
18 Leslie D. Davis ldavis@sonnenschein.com
19 Mary Kay Vyskocil mvyskocil@stblaw.com
20 Matthew B. Kaplan mkaplan@cohenmilstein.com, efilings@cohenmilstein.com
21 Michael H. Barr mbarr@sonnenschein.com
22 Nancy A. Pacharzina (Terminated) npacharzina@tousley.com, mhottman@tousley.com
23 Paul Scarlato pscarlato@labaton.com, ElectronicCaseFiling@labaton.com
24 Paul Joseph Kundtz pkundtz@riddellwilliams.com, mbergquam@riddellwilliams.com,
25 mdowns@riddellwilliams.com

Certificate of Service
(CV09-037 MJP)

HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
Seattle, Washington 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789

1 Richard A. Speirs rspeirs@cohenmilstein.com
2 Richard F. Hans richard.hans@dlapiper.com, dorinda.castro@dlapiper.com
3 Robert D. Stewart stewart@kiplinglawgroup.com
4 Rogelio Omar Riojas omar.riojas@dlapiper.com, karen.hansen@dlapiper.com,
5 nina.marie@dlapiper.com
6 S. Douglas Bunch dbunch@cohenmilstein.com
7 Serena Richardson (Terminated) srichardson@labaton.com,
8 ElectronicCaseFiling@labaton.com
9 Stellman Keehnel stellman.keechnel@dlapiper.com, patsy.howson@dlapiper.com
10 Stephen M. Rummage steverummage@dwt.com, jeannecadley@dwt.com,
11 seadocket@dwt.com
12 Steve W. Berman steve@hbsslaw.com, heatherw@hbsslaw.com, robert@hbsslaw.com
13 Steven J. Toll stoll@cohenmilstein.com, efilings@cohenmilstein.com
14 Steven P. Caplow stevenaplow@dwt.com, jasonSchattenkerk@dwt.com,
15 patrickwatts@dwt.com, seadocket@dwt.com, sheilarowden@dwt.com
16 Steven W. Fogg sfogg@correronin.com, hpowell@correronin.com,
17 reception@correronin.com
18 Tammy Roy troy@cahill.com
19 Timothy Michael Moran moran@kiplinglawgroup.com, cannon@kiplinglawgroup.com
20 Walter W. Noss wnoss@scott-scott.com, efile@scott-scott.com

21 DATED this 23rd day of April 2012 at Seattle, Washington.

22 By: /s/ Louis D. Peterson
23 Louis D. Peterson, WSBA #5776
24 1221 Second Avenue, Suite 500
25 Seattle, WA 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789
Email: ldp@hcmp.com

Certificate of Service
(CV09-037 MJP)

HILLIS CLARK MARTIN & PETERSON P.S.
1221 Second Avenue, Suite 500
Seattle, Washington 98101-2925
Telephone: (206) 623-1745
Facsimile: (206) 623-7789